

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

JANE DOE

Plaintiff,

vs.

MARK A. GIPSON

Defendant.

Civil Action No. 1:23-cv-00463-RP

**PLAINTIFF’S MOTION TO STRIKE DEFENDANT’S UNAUTHORIZED AND
IMPROPER MOTIONS FOR SCHEDULING ORDERS [D.I.s 120, 121, AND 123]**

Plaintiff Jane Doe (“Plaintiff” or “Ms. Doe”), by and through her counsel, hereby files this Motion to Strike with respect to multiple unauthorized and improper motions for entry of a scheduling order filed by Defendant Mark A. Gipson (“Defendant” or “Mr. Gipson”). *See* D.I.s 120, 121, and 123. Mr. Gipson did not obtain permission to file these documents jointly, or to utilize Ms. Doe’s counsel’s signature on these documents. Mr. Gipson was also repeatedly notified that he did not have authorization to file these documents jointly. Mr. Gipson’s unilateral act of filing non-final drafts of purported “joint” motions with the undersigned’s signature—*and without the undersigned’s authorization*—is improper. As a result, ECF Nos. 120, 121, and 123 should be stricken.

Moreover, Mr. Gipson further included photographs of Ms. Doe’s private Instagram account in his third filing. *See* D.I. 123 at 10. These photographs show Ms. Doe’s face, as well as other identifying information, in violation of the Court’s order precluding Mr. Gipson from publicly identifying Ms. Doe, in court filings, or otherwise. *See* D.I. 14 (Granting Ms. Doe’s

Requested Protective Order). Once again, Mr. Gipson was repeatedly warned not to file any materials showing Ms. Doe's face or other identifying information, and Mr. Gipson chose to file these materials anyways.

Pursuant to Federal Rules of Civil Procedure Rule 12(f), this Court has discretion to strike "redundant, immaterial, impertinent, or scandalous matter" on a motion made by a party. Because Mr. Gipson did not have authorization to file ECF Nos. 120, 121, and 123 jointly with the undersigned's signature, and further because Mr. Gipson willfully violated this Court's protective order by including unredacted photographs and identifying information of Ms. Doe in his third motion for entry of a scheduling order (ECF No. 123), Ms. Doe respectfully requests that ECFs 120, 121, and 123 be stricken. Ms. Doe further requests any relief that the Court deems appropriate to deter Mr. Gipson's continued abuse of the filing process, and repeated violation of the Court's orders, including the Court's procedural deadlines and protective orders.

Dated: July 9, 2024

Respectfully Submitted,

/s/ Bradley A. Hyde

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ATTORNEYS FOR Plaintiff
JANE DOE

CERTIFICATE OF CONFERENCE

Pursuant to the Federal Rules of Civil Procedure, I hereby certify that counsel for Plaintiff sought Defendant's position on withdrawing the improperly filed motions, and Defendant declined. Plaintiff thus files this motion to strike as opposed.

Dated: July 9, 2024

/s/ Bradley A. Hyde
Bradley A. Hyde

CERTIFICATE OF SERVICE

I hereby affirm that on this 9th day of July, 2024, a true and correct copy of the foregoing document was served by electronic service pursuant to the Federal Rules of Civil Procedure with the Court's CM/ECF electronic filing system. Additionally, a copy of the respective pleading was served to Mr. Gipson's email address.

Dated: July 9, 2024

/s/ Bradley A. Hyde
Bradley A. Hyde